

LoBiondo	Pascrell	Simpson
Lofgren	Pastor	Skelton
Lucas (KY)	Payne	Slaughter
Lucas (OK)	Pearce	Smith (MI)
Lynch	Pelosi	Smith (NJ)
Majette	Pence	Smith (TX)
Maloney	Peterson (MN)	Smith (WA)
Manzullo	Peterson (PA)	Snyder
Markey	Petri	Solis
Marshall	Pickering	Souder
Matheson	Pitts	Spratt
Matsui	Platts	Stark
McCarthy (MO)	Pombo	Stearns
McCarthy (NY)	Pomeroy	Stenholm
McCollum	Porter	Strickland
McCotter	Portman	Stupak
McCrery	Price (NC)	Sullivan
McDermott	Pryce (OH)	Sweeney
McGovern	Putnam	Tancredo
McHugh	Quinn	Tanner
McInnis	Radanovich	Tauscher
McIntyre	Rahall	Taylor (MS)
McKeon	Ramstad	Taylor (NC)
McNulty	Rangel	Terry
Meehan	Regula	Thomas
Meek (FL)	Rehberg	Thompson (CA)
Meeks (NY)	Renzi	Thompson (MS)
Menendez	Reynolds	Thornberry
Mica	Rodriguez	Tiahrt
Michaud	Rogers (AL)	Tiberi
Millender-	Rogers (KY)	Tierney
McDonald	Rogers (MI)	Toomey
Miller (FL)	Rohrabacher	Towns
Miller (MI)	Ros-Lehtinen	Turner (OH)
Miller (NC)	Ross	Turner (TX)
Miller, Gary	Rothman	Udall (CO)
Miller, George	Roybal-Allard	Udall (NM)
Mollohan	Royce	Upton
Moore	Ruppersberger	Van Hollen
Moran (KS)	Rush	Velázquez
Moran (VA)	Ryan (OH)	Visclosky
Murphy	Ryan (WI)	Vitter
Murtha	Ryun (KS)	Walden (OR)
Musgrave	Sabo	Walsh
Myrick	Sánchez, Linda	Wamp
Nadler	T.	Waters
Napolitano	Sanchez, Loretta	Watson
Neal (MA)	Sanders	Watt
Nethercutt	Sandlin	Waxman
Neugebauer	Saxton	Weiner
Ney	Schakowsky	Weldon (FL)
Northup	Schiff	Weldon (PA)
Norwood	Schrock	Weller
Nunes	Scott (VA)	Wexler
Nussle	Sensenbrenner	Whitfield
Oberstar	Serrano	Wilson (NM)
Obey	Sessions	Wilson (SC)
Olver	Shadegg	Wolf
Ortiz	Shaw	Shays
Osborne	Shays	Sherman
Ose	Sherman	Sherwood
Otter	Sherwood	Shimkus
Owens	Shimkus	Shuster
Oxley	Shuster	Simmons
Pallone	Simmons	

NAYS—1

Paul

NOT VOTING—8

Abercrombie	Lantos	Scott (GA)
DeMint	Lowey	Tauzin
Hyde	Reyes	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1809

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING THE VETERANS WHO SERVED DURING WORLD WAR II, THE AMERICANS WHO SUPPORTED THE WAR, AND CELEBRATING THE COMPLETION OF THE NATIONAL WORLD WAR II MEMORIAL

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 409.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 409, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 422, nays 0, not voting 11, as follows:

[Roll No. 168]

YEAS—422

Abercrombie	Carson (OK)	Flake
Ackerman	Carter	Foley
Aderholt	Case	Forbes
Akin	Castle	Ford
Alexander	Chabot	Fossella
Allen	Chandler	Frank (MA)
Andrews	Chocola	Franks (AZ)
Baca	Clay	Frelinghuysen
Bachus	Clyburn	Frost
Baird	Coble	Gallegly
Baker	Cole	Garrett (NJ)
Baldwin	Collins	Gephardt
Ballance	Conyers	Gerlach
Ballenger	Cooper	Gibbons
Barrett (SC)	Costello	Gilchrest
Bartlett (MD)	Cox	Gillmor
Barton (TX)	Cramer	Gingrey
Bass	Crane	Gonzalez
Beauprez	Crenshaw	Goode
Becerra	Crowley	Goodlatte
Bell	Cubin	Gordon
Bereuter	Culberson	Goss
Berkley	Cummings	Granger
Berman	Cunningham	Graves
Berry	Davis (AL)	Green (TX)
Biggert	Davis (CA)	Green (WI)
Bilirakis	Davis (FL)	Greenwood
Bishop (GA)	Davis (TN)	Grijalva
Bishop (NY)	Davis, Jo Ann	Gutierrez
Bishop (UT)	Davis, Tom	Gutknecht
Blackburn	Deal (GA)	Hall
Blumenauer	DeFazio	Harman
Blunt	DeGette	Harris
Boehlert	Delahunt	Hart
Boehner	DeLauro	Hastings (FL)
Bonilla	DeLay	Hastings (WA)
Bonner	Deutsch	Hayes
Bono	Diaz-Balart, L.	Hayworth
Boozman	Diaz-Balart, M.	Hefley
Boswell	Dicks	Hensarling
Boucher	Dingell	Hерger
Boyd	Doggett	Hill
Bradley (NH)	Dooley (CA)	Hinchev
Brady (PA)	Doolittle	Hinojosa
Brady (TX)	Doyle	Hobson
Brown (OH)	Dreier	Hoeffel
Brown (SC)	Duncan	Hoekstra
Brown, Corrine	Dunn	Holden
Brown-Waite,	Edwards	Holt
Ginny	Ehlers	Honda
Burgess	Emanuel	Hooley (OR)
Burns	Emerson	Hostettler
Burr	Engel	Houghton
Burton (IN)	Buyer	Hoyer
Calvert	Eshoo	Hulshof
Camp	Etheridge	Hunter
Cannon	Evans	Inslee
Capito	Everett	Isakson
Capps	Farr	Israel
Capuano	Fattah	Issa
Cardin	Feeney	Istook
Cardoza	Ferguson	Jackson (IL)
Carson (IN)	Filner	Jackson-Lee

Jefferson	Miller, George	Saxton
Jenkins	Mollohan	Schakowsky
John	Moore	Schiff
Johnson (CT)	Moran (KS)	Schrock
Johnson (IL)	Moran (VA)	Scott (VA)
Johnson, E. B.	Murphy	Sensenbrenner
Johnson, Sam	Murtha	Serrano
Jones (NC)	Musgrave	Sessions
Jones (OH)	Myrick	Shadegg
Kanjorski	Nadler	Shaw
Kaptur	Napolitano	Shays
Keller	Neal (MA)	Sherman
Kelly	Nethercutt	Sherwood
Kennedy (MN)	Neugebauer	Shimkus
Kennedy (RI)	Ney	Shuster
Kildee	Northup	Simmons
Kilpatrick	Norwood	Simpson
Kind	Nunes	Skelton
King (IA)	Nussle	Slaughter
King (NY)	Oberstar	Smith (MI)
Kingston	Obey	Smith (NJ)
Kirk	Olver	Smith (TX)
Klecza	Ortiz	Smith (WA)
Kline	Osborne	Snyder
Knollenberg	Ose	Solis
Kolbe	Owens	Souder
Kucinich	Oxley	Spratt
LaHood	Pallone	Stark
Lampson	Pascarell	Stearns
Langevin	Pastor	Strickland
Larsen (WA)	Paul	Stupak
Larson (CT)	Payne	Sullivan
Latham	Pearce	Sweeney
LaTourette	Pelosi	Tancredo
Leach	Pence	Tanner
Lee	Peterson (MN)	Tauscher
Levin	Peterson (PA)	Taylor (MS)
Lewis (CA)	Petri	Taylor (NC)
Lewis (GA)	Pickering	Terry
Lewis (KY)	Pitts	Thomas
Linder	Platts	Thompson (CA)
Lipinski	Pombo	Thompson (MS)
LoBiondo	Pomeroy	Thornberry
Lofgren	Porter	Tiahrt
Lucas (KY)	Portman	Tiberi
Lucas (OK)	Price (NC)	Tierney
Lynch	Pryce (OH)	Toomey
Majette	Putnam	Towns
Maloney	Quinn	Turner (OH)
Manzullo	Radanovich	Turner (TX)
Markey	Rahall	Udall (CO)
Marshall	Ramstad	Udall (NM)
Matheson	Rangel	Upton
Matsui	Regula	Van Hollen
McCarthy (MO)	Rehberg	Velázquez
McCarthy (NY)	Renzi	Visclosky
McCollum	Reynolds	Vitter
McCotter	Rodriguez	Walden (OR)
McCrery	Rogers (AL)	Walsh
McDermott	Rogers (KY)	Wamp
McGovern	Rogers (MI)	Waters
McHugh	Rohrabacher	Watson
McInnis	Ros-Lehtinen	Watt
McIntyre	Ross	Waxman
McKeon	Rothman	Weiner
McNulty	Roybal-Allard	Weldon (FL)
Meehan	Royce	Weldon (PA)
Meek (FL)	Ruppersberger	Weller
Meeks (NY)	Rush	Wexler
Menendez	Ryan (OH)	Whitfield
Mica	Ryan (WI)	Wilson (NM)
Michaud	Ryun (KS)	Wilson (SC)
Millender-	Sabo	Wolf
McDonald	Sánchez, Linda	Woolsey
Miller (FL)	T.	Wu
Miller (MI)	Sanchez, Loretta	Wynn
Miller (NC)	Sanders	Young (AK)
Miller, Gary	Sandlin	Young (FL)

NOT VOTING—11

Cantor	Lowey	Stenholm
DeMint	Otter	Tauzin
Hyde	Reyes	Wicker
Lantos	Scott (GA)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1817

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. OTTER. Mr. Speaker, unfortunately I missed the vote on H. Con. Res. 409 "Recognizing with humble gratitude the more than 16,000,000 veterans who served in the United States Armed forces during World War II and the Americans who supported the war effort on the home front and celebrating the completion of the National World War II Memorial on the National Mall in the District of Columbia". Had I been present I would have voted for this bill.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 2660, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

Mr. GEORGE MILLER of California. Mr. Speaker, under rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 2660, the fiscal year 2004 Labor-HHS appropriations bill.

The form of the motion is as follows:

Mr. George Miller of California moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2660 be instructed to insist on reporting an amendment to prohibit the Department of Labor from using funds under the Act to implement any portion of a regulation that would make any employee ineligible for overtime pay who would otherwise qualify for overtime pay under regulations under section 13 of the Fair Labor Standards Act in effect September 3, 2003, except that nothing in the amendment shall affect the increased salary requirements provided in such regulations as specified in section 541 of title 29 of the Code of Federal Regulations, as promulgated on April 23, 2004.

MOTION TO INSTRUCT CONFEREES ON S. CON. RES. 95, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2005

Mr. POMEROY. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore (Mr. SWEENEY). The Clerk will report the motion.

The Clerk read as follows:

Mr. Pomeroy moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the concurrent resolution S. Con. Res. 95 be instructed to agree to the pay-as-you-go enforcement provisions within the scope of the conference regarding direct spending increases and tax cuts in the House and Senate. In complying with this instruction, such managers shall be instructed to recede to the Senate on the provisions contained in section 408 of the Senate concurrent resolution (relating to the pay-as-you-go point of order regarding all legislation increasing the deficit as a result of direct spending increases and tax cuts).

The SPEAKER pro tempore. Pursuant to rule XXII, the gentleman from North Dakota (Mr. POMEROY) and the gentleman from Iowa (Mr. NUSSLE) each will control 30 minutes.

The Chair recognizes the gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we know that we have a very large problem facing this Congress: we cannot pass a budget. We have got a budget that has passed the House, a budget that has passed the Senate, but an absolute train wreck in conference committee with neither side indicating any indication to reach compromise and finish the budget process.

The motion that we have before us, we believe, unlocks this problem. It would have the House pass the motion to instruct conferees relative to the PAYGO requirement, a requirement I will explain more fully in a moment. This passed the Senate and is now, I believe, the key to getting this resolved, will we have the PAYGO budget enforcement provision as part of the budget. Quite frankly, it appears very possible that without embracing some kind of bipartisan step toward budget discipline along the pay-as-you-go requirement, this House, this Congress, will not be able to pass a budget. Obviously, with the President, the Senate and the House in one-party control, one would not expect that that would be the result, but that is the result without some movement toward budget discipline.

Why has budget discipline become so central to the budget debate? I have got some charts that illustrate in very painful fashion what has happened to the Federal budget during the last 3½ years. This chart captures the skyrocketing deficit from years 2002 to projected end of year 2004. What we see is a budget spinning entirely out of control, an absolute hemorrhage of red ink with Congress now spending more than \$1 billion a day more than it takes in. This all accumulates in the national debt, a soaring burden for our country and the next generation.

If that chart captured the whole story, it would be very dangerous and frightening. I hate to tell you this, but the story is actually worse than that. Because of budget rules, the full exploding nature of the tax cuts which throw our budget even more radically out of budget occurs after the measurement period of this budget debate. This chart captures that. The budget before us covers the first 5 years. What happens in the next 5 reveals the dirty little secret of their budget plan, skyrocketing red ink, a budget more out of balance than ever before, just at the period of time baby boomers leave the workforce, move into retirement, each one carrying a guarantee from the Federal Government that Social Security will be paid, that Medicare will be paid.

Knowing how many baby boomers there are relative to the rest of the population, the obvious thing for this country to do is pre-position and improve the fiscal condition of this country so that we are ready to take the tremendous hit entitlement spending will bring when baby boomers retire.

My colleagues can see what we are doing: exactly the opposite. It is fiscal lunacy as we borrow in ever-radical fashion just before baby boomers retire. The long-term trend here, assuming the administration budget policies, AMT reform and the ongoing war costs take us to a national debt situation of \$14.8 trillion by the year 2014. The debt service cost on that alone is \$400 billion, just in interest costs. So this is a very, very serious problem. It is a fiscal catastrophe that has been foisted upon this country. The only thing to do is to begin to deal with it.

This is not the first time the country has had budget problems. It is not the first time we have had people of good will trying to reach across a partisan aisle and come up with some answers. The pay-as-you-go requirement, in fact, that is before the House with this motion was initiated in a budget conference convened by President George Bush, not this President George Bush, his father, George H.W. Bush. They came upon a fairly basic budget enforcement mechanism. In light of not wanting to make the budget situation any worse, they agreed that a pay-as-you-go requirement would apply.

What does that mean? That means if you spend more, you are going to have to find the money to pay for it. You are going to have to either cut spending, or you are going to have to raise revenue. Also on the revenue side, if you cut taxes and reduce the inflow of revenue, you are going to have to deal with it. You are going to have to show at that time where the spending cuts are going to come that offset the revenue loss or what other revenue increases you would have to offset that revenue loss. This was ultimately adopted in a bipartisan vote in 1990. Many believed it was an extraordinarily important contribution to national budget discipline. Chairman Alan Greenspan spoke about the need to get such tools back in the budget process in his testimony to Congress just within recent weeks.

After the 1990 agreement, this thing started to show that it really could work. The budget picture continued to improve. In the budget vote of 1993, the budget votes thereafter, the bipartisan balanced budget agreement of 1997, the pay-as-you-go requirement was affirmed no fewer than two additional times by bipartisan votes of Congress. There is some confusion, I believe, raised by some of the arguments that I have heard coming from majority leadership that those early pay-as-you-go requirements were not applicable to the revenue side. That was misinformation. I have the language of the earlier pay-as-you-go requirements with me, and I am prepared to debate on the floor of this House the applicability of those earlier pay-as-you-go requirements to the motion before us. The motion is the same. And so to my friends in the majority who are inclined to look at this very carefully, thinking about their earlier votes back in 1995 and 1997 in favor of the pay-as-you-go